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Child welfare overseas...

London

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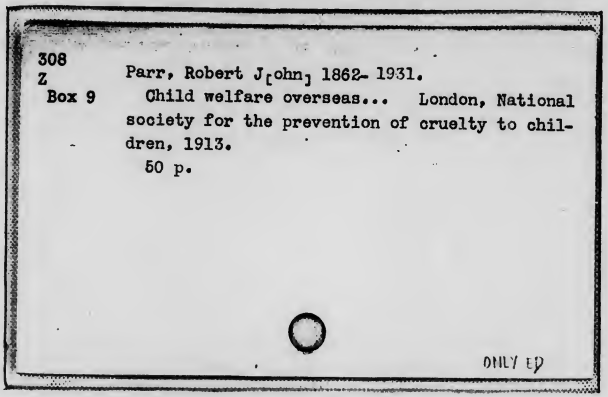

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CHILD WELFARE OVERSEAS

BY

ROBERT J. PARR

(Director of the National Society for the Prevention of Cruelty to Children).

ISSUED BY THE

NATIONAL SOCIETY FOR THE
PREVENTION OF CRUELTY TO CHILDREN

40, Leicester Square, London, W.C.

1913

13 Sept. 1915. MS

CHILD WELFARE OVERSEAS.

To the Members of the Executive Committee.

LADIES AND GENTLEMEN,—

FOR several years in succession an invitation has been sent me to attend the Annual Meeting of the American Humane Association, a body which holds its sessions in different cities in the United States. Conditional acceptances had, for one reason or another, to be cancelled, and it was not until this year that it became possible to undertake the journey.

I left Southampton on October 4th, and reached Liverpool on the return journey on October 28th. The places visited were New York, Rochester, Toronto, and Montreal.

This Report of my visit contains a record of the investigations made into the subject of child-welfare, and some observations thereon.

I have the honour to be,

Your obedient servant,

ROBERT J. PARR,

Director.

I.

NEW YORK.

Special interest centred round the visit to New York, as it was in this city the experience was gained that led to the formation of a Society in this country. The New York S.P.C.C. is now in its thirty-ninth year's work, our National Society being in its thirtieth year. The Society has a noble home in an imposing building, 297, Fourth Avenue (corner of East 23rd Street). This fine structure is the property of the Society. There are enquiry offices on the ground floor, a Board room and clerks' offices above, and higher up a Home for children. Here are kept boys and girls who have been deserted, some who are involved in cases under enquiry, and others who are under remand from the Children's Courts. A matron and staff control the Home, which has large rooms, light and well-ventilated, with a covered and protected roof-playground. Children are frequently kept in the Home for some time, and I learnt from the matron that the place is not large enough to accommodate all who require admission in times of pressure. The Society makes provision for a class of children who in this country would be put in places of safety, sheltered in remand homes, or dealt with by an institution.

The President of the Society, Mr. John D. Lindsay, has held office for ten years. He attends each morning and

deals with certain business, controlling the policy as shaped by the Board of Directors, consisting of fourteen members. There are no women on the Board. Among the Vice-Presidents is Mr. Joseph H. Choate, for some time American Ambassador in this country, who, it will be remembered, was an honoured guest at the festival dinner presided over by Field-Marshal Earl Roberts in 1904. Mr. Choate has held office for thirty-one years. There are two Vice-Presidents whose connection with the Society extends to thirty-eight years, and two others with a record of thirty-seven years.

Commodore Eldridge T. Gerry, who has visited our Central Office, was President for twenty-two years, having resigned in 1900. His services to the Society have been continuous, and his generosity unbounded. So closely was he associated with its early history, that even to-day it is spoken of as the Gerry Society. His son, Mr. Peter G. Gerry, is one of the present Directors. Another honorary officer who has a long record of usefulness is Mr. Dallas B. Pratt, who has acted as Treasurer for twenty-four years.

The Superintendent, or responsible officer for the control of the office, is Mr. Thomas D. Walsh, whose appointment dates from 1910. He possesses a keenness, a vivacity and an enthusiasm that make him exceptionally fitted for his task, and he is thoroughly well informed on all subjects relating to child welfare in the United States.

Inspectors of the Society do not wear uniform; they keep in close touch with Children's Courts, and are often consulted by the judges. Up to two years ago these Inspectors did all the probation work at these Courts. There are now thirty probation officers in the city, each of whom has had to pass a Civil Service examination.

The Society's methods are apparently much the same to-day as when the organisation was started. Developments that have characterised the National Society have no parallel in New York, nor, so far as I could judge, in America. No educational campaign is undertaken; literature is not distributed as at home, and the repressive side of the work by prosecution is more pronounced than with us. The system of voluntary effort through Ladies' Committees is unknown; indeed, no advantage appears to be taken of the invaluable help of women.

Great interest was evinced in what I was able to say of modern progressive ideas within the Society at home, and especially as to enlisting the sympathy of the public, the increased power of warning offenders, and the corresponding decrease in the number of prosecutions. The Central Executive has confirmed a provisional promise I made to Mr. Walsh in response to a request from him that a representative should be sent to New York who possesses a full understanding of our methods, and has a facility for giving expression to our views and experiences.

Financial support is obtained from various sources. There is a grant from New York City—in last year's accounts this stood at 85,000 dollars—an income of 10,000 dollars from letting part of the house; donations and subscriptions from members and friends, 30,889 dollars; interest on investments produces 5,340 dollars, and fines collected from the Comptroller, New York City, reach 3,595 dollars. The total income from all sources for the year ending December 31st, 1912, was 137,597 dollars. The amount entered under donations includes a generous contribution from "An Old Member" of 9,000 dollars. In the previous year this

benevolent supporter gave 14,243 dollars, presumably on each occasion to avoid a deficit.

The record of cases for the year 1912 was:

Complaints received - - - - -	18,777
,, investigated - - - - -	18,052
,, prosecuted - - - - -	7,792
Convictions secured - - - - -	6,106
Homes found or situations obtained for children	6,534
Boys and girls cared for in reception rooms -	10,775

From this table it will be observed that in one or two particulars there is a striking contrast with our figures. We had 54,541 cases with only 2,456 prosecutions, the ratio of prosecuted cases being 42 per cent. in New York to 4·5 in the National Society. Dismissed cases were 1,686 in New York, 59 at home. The proportion of children removed from their parents in New York is high: there were 56,331 children involved in the 18,777 cases, and, as will have been seen, homes or situations were found for 6,534. Here, with 159,407 children, 391 only were removed from their parents and placed in homes or institutions.

Many of the cases enquired into and prosecuted in New York would in this country be dealt with by the Police, Education or Poor Law authorities. In many other respects the operations of the two Societies differ both as to method and practice. Many of these differences were discussed with Mr. Walsh, but it is not my intention in this Report to do more than recount facts.

II.

Kindred Institutions.

Whilst in New York, thanks to the kind forethought of friends, opportunities were afforded me of meeting the representatives of many institutions and, under most happy conditions, of gaining much useful information concerning them.

At a luncheon given by Mr. Thomas D. Walsh, Superintendent of the New York P.C.C., at the City Club, I met:

The Hon. Samuel D. Levy, Member of the Board of Magistrates, City of New York, and Vice-President of the Hebrew Sheltering Guardian Society. This is an institution which undertakes the care of five hundred Jewish children on a model cottage plan at Pleasantville, New York. By the benevolence of many donors the institution is admirably adapted for the work being done, and Judge Levy gave a most encouraging account of the good results obtained.

Mr. Frederick E. Bauer, Superintendent of the Children's Bureau of the Department of Public Charities of the City of New York. Mr. Bauer described the character of his work, which is carried on amongst destitute children only. He spoke of the assistance given in the city by private charitable institutions of various religious faiths, notably the Association for Improving

the Condition of the Poor, the Society of St. Vincent de Paul, and the United Hebrew Charities. Co-operation between these bodies within the scope of the Children's Bureau is a noteworthy feature.

Dr. Max G. Schlapp, Director of the Clearing House for Mental Defectives, conducted by the Department of Public Charities at the Post Graduate Hospital in the City of New York. Dr. Schlapp described the neurological work carried on in his clinic, and mentioned that there are, at the present time, from nine to ten thousand mentally defective children (not including imbeciles) in New York City.

Mr. Ernest K. Coulter, Chairman of the Executive Committee of the Big Brothers, a Protestant institution which aims to care for boys who have gone wrong, or who are in danger of doing so, by assigning a Big Brother to each individual case for the purpose of giving good advice and a helping hand over the period of difficulty. The great success of this comparatively new movement is a striking feature of modern intelligence. Mr. Coulter was formerly the clerk at a Children's Court, which position he held for ten years. He is also the author of a well-known book on child welfare, "The Children in the Shadow."

The Rev. Thomas J. Lynch, Supervisor of Catholic Corrections in the Arch-Diocese of New York, by appointment of His Eminence Cardinal Farley. Father Lynch gave with much feeling a touching account of the aims set before his workers in uniting broken families, re-establishing wrecked homes, and especially in the methods

adopted for the reformation of intemperate women. The statement was illuminated with instances of successful effort.

The Hon. Frank W. Smith, Chief Clerk of the Court of Special Sessions of the City of New York (including the Boroughs of Manhattan, the Bronx, Richmond, Queen's and Brooklyn). Mr. Smith is also the representative of a body known as the United Catholic Works, of which Cardinal Farley is both the ecclesiastical and executive head. He explained this recently formed organisation, and described its object as that of grouping under one general administration all the Catholic charities—of which there are many—which have hitherto worked separately and independently. In the union of these activities it is believed energy will be directed, administration will be centralised, the cost of management reduced, and the whole scheme of the work broadened.

Dr. Ludwig B. Bernstein, Superintendent of the Hebrew Guardian Society. Dr. Bernstein amplified the remarks of Judge Levy, and described the hopeful features of the institution.

Mr. Arthur W. Towne, Superintendent Brooklyn S.P.C.C., formerly Secretary of the New York State Probation Commission. Mr. Towne explained some of the principles underlying the great Probation movement.

Others present at this function were :

Mr. Thomas F. Moore, Assistant-Superintendent, New York S.P.C.C.

Mr. Dennis A. Lambert, Clerk of the Children's Court of the County of New York.

Mr. Guy Morgan, Superintendent of the New York Juvenile Asylum, an instituion for Protestant boys at Chaunay, N.Y.

Mr. Angus P. Thorne, Superintendent, Bureau of Dependent Adults of the Department of Public Charities of the City of New York.

Mr. Claude B. Boorom, Superintendent of the Five Points of Industry—an institution for the care of destitute and neglected children of the Protestant faith—and

Mr. Henry M. Schneider, Secretary to Superintendent Walsh.

Specially informative as the proceedings were, they were devoid of all formality. Mr. Walsh, the host, drew each specialist on to speak of his own scheme, and then admirably summarised the general effect of the work done by all. It fell to me to say a few words explanatory of what is being done at home, and I seized the opportunity of giving expression to an appreciation of the exceptional value of the knowledge imparted by the speakers. Beyond a comparison of experiences, there was a promise of future co-operation from all present, a promise that has already been realised in part. The institutions represented were varied. In the men who are the controlling influences behind them I was impressed by a sense of power and of understanding. They were neither professional nor perfunctory. Capability there was, and a quiet optimism; and, withal, an admission that in new countries as in old the future is in the hands of those who care for and help children.

Another function arranged with a similar object was noteworthy for the hospitality of the Hon. Peter G. Gerry, who invited a party to dinner at the National Democratic

Club. Mr. Peter Gerry is a Vice-President and member of the Executive Committee of the New York S.P.C.C., also a Member of Congress for the Second Rhode Island District. He is the son of Commodore Gerry, one of the oldest members of the New York Society, and one of its most generous supporters.

On this occasion there were present :

The Hon. John D. Lindsay, President New York S.P.C.C., formerly Assistant District Attorney of New York County for seventeen years.

The Hon. Barton S. Weeks, Justice of the Supreme Court, State of New York, formerly Assistant District Attorney for six years.

The Hon. Julius M. Mayer, Justice of the Circuit Court of the United States, formerly Attorney-General of the State of New York, and at one time Justice of the Court of Special Sessions, assigned to the Children's Court in New York City.

The Hon. John B. Mayo, Justice, Court of Special Sessions of the County of New York, formerly a city magistrate. Judge Mayo is now assigned exclusively to Children's Court work.

Mr. Dallas B. Pratt, Treasurer, New York S.P.C.C., member of Maitland, Coppell & Co., bankers, and a director of the Bank of America.

Mr. Charles H. Ingalls, President of the Richmond County S.P.C.C., with the Rev. Father Lynch, Professor Schlapp, Mr. Arthur W. Downe, and Mr. Thomas D. Walsh, all of whom were also at the luncheon.

There were no speeches, but after dinner the time was taken up by questions and answers, mainly with reference to methods and procedure in this country, points of law and practice, and an attempt on my part to discover as much as possible relating to Children's Courts, the powers of judges, the duties of probation officers, and the opinion of the distinguished experts present on the value of the methods adopted.

Here again there was the same outstanding feature of a keen and personal interest, far beyond the conventional attention to an ordinary occupation. Much of what is being done by our National Society was unknown to the guests, especially in regard to following cases up after prosecution, help given to families, the custody of children, and so on. Copies of all our forms and legal orders have been sent to the judges, and we are to receive from them copies of all forms issued in Children's Courts.

Time did not permit of my visiting many institutions, and having heard so much from those concerned in them, there was less need to do so.

While in Toronto, however, I saw the Evangelica Settlement, of which some mention may be made. This is an institution maintained by some prominent men in the city, who thus find an outlet for their desire to accomplish something practical for children. It is housed in a fine new building with all the modern appliances. There is no public appeal for funds. There are reading-rooms and clubs for adults, but the main part of the work done is for children. A beautiful hall, used for public and other meetings, is also utilised as a public kindergarten. Teachers are provided by the Board of Education. At least three-quarters of

the children attending are English. Some trouble having been experienced in getting them to attend, by reason, it is said, of the unwillingness of their mothers to get up and prepare them for school, they are now sent for each morning. The age of those attending is from five to seven. Lavatory accommodation is excellent, baths are provided, and altogether the place is the last word in fitness for its object. There is a dispensary, where the charge is 10 cents (5d.) for a consultation and 50 cents (2s. 1d.) for an operation; a baby clinic, where babies are treated for various ailments and mothers are advised as to treatment; and a recovery-room for use when children must be detained after an operation. Habits of thrift and self-reliance are taught, and people are expected to pay, and made to do so, for such help as they receive.

Through the kindness of Mr. and Mrs. J. J. Kelso, who invited a large party to a reception at their house, I had the pleasure of meeting many social workers engaged in the various movements for child welfare in Toronto. Much useful information was given me, and I had the opportunity of giving some particulars of our work to a most appreciative audience. At this gathering I met a lady who was some time ago paying a visit to Wexford. Outside the Society's local office in that town she saw the printed record of the month's work, took particulars of it, and told her friends on her return what the National Society was doing in England, Ireland, and Wales.

III.

CONFERENCE AT ROCHESTER, N.Y.

Rochester is said to be a typical American city. Known as the "Flower City," it has a population of about 225,000, with an average death rate for the past five years of only 15·3 per 1,000. A manufacturing centre, it employs about 75,000 persons in its factories and workshops, and claims to have:

The largest camera works in the world.
The largest butter factory in the world.
The largest preserving plant in the world.
The largest lubricating plant in the world.
The largest photographic film factory in the world.
The largest photographic dry plate factory in the world.
The largest photographic sensitive paper factory in the world.
The largest factory in the world for the manufacture of office filing devices.
The largest factory in the world for the manufacture of machinery for making wood boxes.

It is also said to be the centre of the world for the manufacture of temperature and pressure-indicating recording and regulating instruments.

Photographers will be interested in Rochester as the home of the Eastman Kodak. The city took its name from a Colonel Rochester, who in 1811 surveyed and sold lots on a one hundred-acre tract of land he had purchased some years before.

It was in this interesting city, with a history extending only slightly over a hundred years, that the conference took place which ratified the proposal to establish a system of international federation for all societies engaged in the work of the prevention of cruelty to children.

The conference was that of the American Humane Association, and it was the thirty-seventh annual meeting of that body. This Association brings together the representatives of Societies in America engaged in the work of preventing cruelty to children and animals. Many of the Societies combine these objects, a course which seems strange to those of us whose efforts are confined to one subject.

The meetings took place in the large hall of the Hotel Seneca, and extended over four days—October 13th, 14th, 15th, 16th. Monday and Tuesday were devoted to animal protection work, and Wednesday and Thursday to child protection work. This order of procedure is reversed at each annual meeting.

Dr. William O. Stillman, of Albany, N.Y., President of the Association, took the chair at the various meetings, and his conduct of the business throughout was both prompt and tactful. There was a large attendance at each meeting, and many Societies were represented. Some of the delegates came long distances in order to be present and take part in the proceedings.

The morning sessions commenced at 9.30 and closed at 1.0. Afternoons the time was from 2.30 to 5.30, and on Wednesday evening there was an open discussion on various questions, lasting from 8.0 to 10.0.

The method of procedure at meetings was to have a paper read lasting fifteen minutes, then to have a fifteen minutes'

discussion, each speaker being limited to five minutes. The subjects dealt with covered a wide field, and were varied in their relation to theory and practice. Titles of papers on the Child Protection Side and names of speakers follow:

Wednesday Morning.

"Mother and Child," by Dr. J. C. Young, President Alleghany County Humane Society, Cuba, N.Y.

"The Efficient Home as a Factor in the Prevention of Delinquency," by Mr. Eugene Morgan, Secretary and Attorney the Humane Society of the City of Columbus, O.

"The Work of a University for the Promotion of Humane Education," by Prof. Samuel McCune Lindsay, in charge of the Henry Bergh Foundation, of Columbia University in the City of New York.

"The Prevention of Cruelty to Children: a Distinct Science," by the Hon. Peter G. Gerry, Vice-President New York Society for the Prevention of Cruelty to Children.

"Practical Methods Used in Children's Work," by Mr. Thomas B. Maymon, General Agent and Secretary the Rhode Island Society for the Prevention of Cruelty to Children, Providence, R.I.

The afternoon of Wednesday was given up to a Meeting on American official business.

Thursday Morning.

'Child-saving Work in Louisiana," by Mr. Thomas H. Agnew, Superintendent Louisiana Society for the Prevention of Cruelty to Children, New Orleans, La.

"The Vital Importance of Child Rescue and Conservation," by Dr. W. A. Robinson, President the Ohio Humane Society, Cincinnati, O.

"Child-saving in Big Cities," by Mr. John J. Shortall, President Illinois Humane Society, Chicago, Ill.

"Boy Scout Movement," by Mr. Samuel A. Moffatt, National Field Scout Commissioner, New York.

"The Functions of the Court in Work for Children," by Judge John B. M. Stephens, Children's Court, Rochester, N.Y.

"Children's Court Procedure," by the Hon. Franklin C. Hoyt, Justice of Court of Special Sessions, New York.

"The Latest Word in Regard to Juvenile Probation," by Mr. Arthur W. Towne, Secretary of the National Probation Organisation, and Superintendent, Brooklyn Society for the Prevention of Cruelty to Children.

Thursday Afternoon.

"The Necessity of Humane Education," by Dr. Wm. R. Callicote, State Superintendent of Moral and Humane Education, Bureau of Child and Animal Protection, Denver, Col.

"The Visiting of Children in Foster Homes," by the Hon. J. J. Kelso, Superintendent Department of Neglected and Dependent Children, Toronto.

"Mental Deficiency in its Relation to Crime," by Professor Max. J. Schlapp, Professor of Neuro-Pathology, Post Graduate Hospital, New York.

"Eugenics," by Dr. M. May Allen, Lecturer New York State Department of Health, Rochester, N.Y.

Interest in the proceedings on Wednesday morning was heightened by the presence of "Mary Ellen," who as a child suffered from the effects of ill-treatment, and the discovery of whose case led to the formation of the first Society for the Prevention of Cruelty to Children in New York. Unfortunately, Mrs. Etta Wheeler, the lady who found "Mary Ellen," was unable to be present.

At the open session on Wednesday evening a discussion took place on the subject of cinematograph exhibitions, and some of the influences affecting children who attend these shows. It transpired that the New York Branch of the Motion Picture Exhibitors' League of America was holding a convention in another hall in the city. A proposal was made and agreed to that a deputation should be sent to give expression to the views of those who desired greater care in the selection of subjects for exhibition. This deputation was most courteously received by the Exhibitors' League, and the members were invited to state their views. The main point on which co-operation was sought was the suppression of films portraying brutality in any form, the argument advanced by the deputation being that such portrayal had a demoralising effect, especially on the young. The President of the League said that exhibitors were already working along the lines suggested, and had already accomplished much. It was hoped by further co-operation with clergy, educators and others interested in the welfare of humanity, that the best results would be obtained.

Having given the list of subjects discussed at the conference as illustrating the varied character of the proceedings, I refrain from commenting on any of the papers at this point,

as those matters in which we are chiefly interested in this country are referred to under their respective headings.

It had been arranged, according to the programme, that I should speak at a great meeting in the Masonic Hall on the Monday night, but this was impossible owing to my engagements in New York.

During the proceedings on Wednesday morning Dr. Stillman, the President, interpolated a few remarks embodying a very cordial welcome to the representative of the National Society, and invited me to tell the conference something of the work that is being done in England, Ireland, and Wales. The President's welcome being warmly echoed by all present, it was not a difficult task to explain briefly something of our methods, aims, and aspirations. The preventive side of our work, our educational methods, the general scope of our organisation, with its active propaganda by speakers, was new to most of the delegates, and at the close of my remarks an opportunity was given by the President to members of the audience to ask questions. It may be of interest to record the questions in the order they were put :

Why do Inspectors wear uniform ?

Do we publish a magazine ?

Are Inspectors men or women ?

How are Inspectors trained ?

Has the whipping clause in the newly-passed Criminal Law Amendment Act proved a deterrent ? (The questioner called it the " White Slave Act.")

What is done for the general welfare of children ?

What is meant by over-laying ?

Are many children taken from their parents ?

What is done in the way of putting offenders on probation ?

How do we try to reach causes creating dependent and delinquent children ?

Why does a woman hate one child in a family while she cares for the others ?

What publications are issued ?

How many persons are there on the staff ?

Are parents punished for causing delinquency in children ?

What form of punishment does the Society prefer, and what is the result of punishment ?

If mothers are punished for over-laying children ?

When children are taken from parents are they ever returned ?

Is there any censorship over moving picture shows ?

At the conclusion of this meeting, by the kindness of the Rochester S.P.C.C., members of the Conference were entertained at luncheon at the Country Club, to which place, some four miles out, the whole party was transported in motor-cars.

At the final meeting on Thursday afternoon further opportunities were given me of saying what was being done here in the way of visiting children in foster homes and of explaining the provisions of the Mental Deficiency Act.

The subject of the Mentally Defective Child is receiving attention in America. Dr. Schlapp told me he examines the children at the New York and Brooklyn Courts. He has control of a clearing house in New York, to which mental defectives are sent, and from which they are placed out in different homes, each case being treated according to the special requirements of the person involved.

At the Conference a member stated that in Kentucky, where there is very little accommodation for defectives, the sum of 75 dollars a year is paid to the parents of a defective child for its maintenance at home. It is not surprising to learn that some of the parents of normal children are envious!

It was at this meeting I was privileged to convey the message of the Central Executive Committee as embodied in this resolution:

INTERNATIONAL FEDERATION.—Mr. Whitbread moved, the Hon. A. Holland-Hibbert seconded, and it was agreed:

> "That the Executive Committee of the National Society for the Prevention of Cruelty to Children authorises the Director to convey greetings to the members of the American Humane Association at their Meeting in Rochester, N.Y., in October next, and to express its good wishes for increased success in all attempts made for the prevention of cruelty to children. The Executive desires further to signify its willingness to co-operate in the proposed scheme for International Federation, and cordially invites those interested in the scheme to attend an International Congress in London some time in the summer of 1915."

The main proposals embodied in the federation scheme were explained: that they were consultative and co-operative, that there would be no interference with a Society's policy, methods or plan of campaign, but that by the establishment of a Library of International Law, a Bureau of International Literature, and facilities for filing the reports, forms, and papers of each Society, there should be such a pooling of ideas that any affiliated body would have the opportunity of obtaining special information on any subject relating to any form of work upon which it might be engaged.

The presentation of this proposal was one of the main features of my visit, and realising the enormous possibilities in the scheme and the increased power for future usefulness likely to result from its acceptance, it gives me unbounded satisfaction to report that the proposal was heartily and unanimously approved, and the subject was referred to the Committee of the Conference on Resolutions. Later on this body brought up a report recommending that a committee be appointed to discuss details, naming for this purpose Dr. William O. Stillman, Mr. N. J. Walker (Albany), Judge Wilkin (Brooklyn), Mr. Peter G. Gerry (New York), Mr. J. J. Kelso (Toronto), Mr. R. H. Murray (Halifax), and myself.

The next step is to arrange an International Congress, and to invite representatives from all Societies in all parts of the world. Questions of place and time will be discussed by the Committee, for though a meeting in London has been suggested some time in the summer of 1915, there is a possibility of a great Conference being held in San Francisco in that year.

A word on the Conference generally. My attendance was a most useful experience. The discussions were maintained with evidences of knowledge, vigour, and enthusiasm. Readiness to hear what others are doing was combined with willingness to impart information which might be helpful. It was a pleasure to meet many of those with whom I have long been in correspondence, and to make the personal acquaintance of others whose names are associated with work for children.

Many requests were made for literature explanatory of our methods, and this has been supplied.

IV.

Children's Courts.

As America was the first country to organise a Society for the Prevention of Cruelty to Children, so was it the first place in which the custom of holding Children's Courts was established. These Courts are now an important feature in the public work of the country, and the proceedings in them are watched with special interest by all who are attempting to bring about a diminution in the number of juvenile offences.

On the passing of the Children Act of 1908 provision was made for the holding of Children's Courts in this country, but for some reason the proposal has not been taken up with enthusiasm by many officials, and the essential feature of the American system—a Children's Magistrate—is as yet nothing more than a suggestion.

The City of New York has six Children's Magistrates. Their whole time is given to the work, and the Courts sit every day of the week except Sunday. Children's Magistrates are appointed by the mayor of the city, and hold office for a period of ten years.

The number of cases per day varies in the different Courts. I learnt that the Manhattan Court has frequently as many as 160 cases in one day. The New York Magistrates often consult the officers of the S.P.C.C., and make much use of the Society in different ways.

Two criticisms were mentioned to me, but I have no information as to whether they are well founded or not. One was that many of the cases taken to Court are of a trivial nature and should not be classed as offences at all; and the other was that some officers of the Court are inclined to carry probation to excess; that in fact they are so anxious to keep the offender in order that they rarely give him a chance to exercise his will or his independence. It is rather remarkable that of all the people I spoke to these were the only objections I heard raised, and, as will be observed, they are not questions of principle but of detail, and if any weight is to be attached to the criticisms, the alleged defects can easily be remedied.

By the kindness of Judge Mayo I was able to sit with him for some time and to study his method of treating cases.

The Court is held in an old and somewhat inconvenient building. One great disadvantage arises from the fact that, from lack of corridor space, waiting, or retiring rooms, all persons concerned in the business of the day have to occupy the Court-room. This room, which is of fair size, was full of people, who engaged in conversation so freely that it was difficult at times to hear clearly what was said by the witnesses or to follow easily the progress of the case. A new Court is being built, and these acknowledged objections will then be removed.

The Judge was easy and natural in his manner with offenders and witnesses; there was nothing formal about his style of questioning. He had a shrewd way of getting at the heart of the case quickly, and the two or three distressed offenders who were before him while I was there were soon put at their ease. Judge Mayo illustrates a point

I have often emphasised—that a children's magistrate should be more paternal than judicial. The Judge was quick to ascertain the home conditions affecting children, especially in cases where parents, claiming that their children were beyond control, asked that they might be sent to a Home.

A feature of the system in New York is that one magistrate starts a case and hears it through, to the manifest advantage of the child, and also saving the time of the Court.

I was much impressed by the type of probation officers on duty, with their grasp of facts and their assistance to the magistrate. New York is a cosmopolitan city, and therefore probation officers have to be selected with regard to their understanding of human character, and with relation to the religious interests of those whose lives they have for short or long periods to supervise.

Probation work is treated on scientific lines. Great attention is paid to it, and a manual of instruction is given to each officer.

Appointments as Children's Magistrates are not confined to members of the legal profession. Judge Wilkin, who acts in Brooklyn, was for twenty-three years in charge of the Society for the Prevention of Cruelty to Children. On making the discovery that magistrates in Children's Courts were not drawn from a restricted area, the question naturally arose as to what special quality of fitness was required. A prominent official to whom the question was put promptly replied: "The Magistrate must have common-sense; the Clerk of the Court will look after the law."

Judge Wilkin told me he has an average of 4,500 cases a

year at the Brooklyn Court. He does not try parents for offences of neglect, nor offences under the Education Act; children who play truant are classed with other juvenile offenders and appear before him.

The Judge was emphatic in his opinion that in his area juvenile crime is not on the increase, and he gave me some interesting figures relating to Brooklyn:

Population.

1880	566,689
1911	1,634,508

Children Under the Age of Fourteen Arrested.

1880	1,409
1911	2,682

Thus the number of children arrested is not nearly so great in proportion as the increase in population.

During our interview the Judge told me that the work of his Court is mainly confined to boy offenders. He estimates that relatively ten boys are charged to one girl. Boys are arrested for almost every kind of offence. Judge Wilkin has had to try several cases of manslaughter.

In his opinion there is much need for the better care of girls. The majority of the girls brought before him are there on a question of morals. A woman probation officer looks after a girl in Court and during remand.

Brooklyn has eight probation officers, three of whom are women. As in New York, Catholics, Jews and Protestants are represented.

Judge Wilkin holds the view, and maintains it strongly, that probation officers should not decide which cases are to come into Court, and which withheld. He does not believe

in putting judicial functions on probation officers, and he recommends that they should conform to the scope of their titular distinction. Appointment as a Children's Magistrate has not narrowed Judge Wilkin's outlook. He was present at the Rochester Conference, keenly and sympathetically concerned in the discussions, and ready with wise counsel on his special subject for those who required his assistance.

Another Children's Magistrate who had not passed through a legal training is Judge Starr, whom I met in Toronto. He has held his office in this city for two years, and has heard 3,500 cases a year. He appoints the probation officers who serve his Court, and has five at present, two of whom are women. Judge Starr has found that people in the city have become interested in him and his work. That they trust him is indicated by the fact that he has on occasion given advice to parents on matters affecting their homes and children, to the number of nearly 100 cases in one day.

In Toronto, as in Brooklyn, youthful offenders are mainly boys. It was encouraging to learn from the Judge that at least 75 per cent. of the boys put on probation justify that course by reformation. Amongst the failures there are many mental defectives. It is estimated that there are over 1,500 juvenile defectives in the city, which has a population of 415,000.

There is a good rule in the Toronto Children's Court, that Saturday is report day. Then all the probation officers bring up a record of their cases, report successes and failures, taking the instructions of the Judge as to what their future action is to be.

Pursuing my enquiries on the subject of Children's Courts and special magistrates, the question was frequently put to me: "What are your Courts like, and what sort of men are your Children's Magistrates?" Something more than surprise followed when I explained that in the greatest city in the world there is no special magistrate to deal with cases of children.

Talking with Judge Starr at a reception in Toronto, I asked him what his thoughts and feelings were as the result of his two years' work—what impressed him most in connection with his efforts for children. His reply was deeply suggestive, for he said the thing that struck him most was "the fascination of it." This same touch of idealism was manifest in most of those who are at the head of things.

V.

Emigrated Children.

Considerable anxiety has been felt from time to time in this country by friends of children, by reason of the statements made reflecting on the treatment of those who have been emigrated to Canada. There can be little doubt that in a few instances children have fallen into the hands of people who are unkind. From our knowledge of conditions at home it is obvious that, despite all the care that may be taken and the supervision exercised when children are placed out, some people will fail in the discharge of their duty. I made a careful and exhaustive enquiry into this subject from everyone I met who could give an authoritative opinion, with the result that, save for the exceptional cases referred to, there is no reason to believe that children are either neglected or ill-treated. On the contrary, it was evident that the same spirit that characterises workers here impels those engaged in the supervision of children in Canada to prevent wrong, and when necessary to punish wrongdoers.

There are 213 Children's Societies in Canada, and most of these cover the whole range of child welfare. They deal with the prevention of cruelty, and assist in the work of home-finding for children sent to that country. The Government keeps a watchful eye on the officials appointed, and through its own responsible officers exercises

a wise and efficient control. Any Society established for dealing with any phase of children's work is expected to make application for recognition. More than this, all Societies engaged in the emigration of children from England are required to provide their own Inspectors and to be responsible for the regular visitation of every child sent to Canada. The relation between the Government and the voluntary agencies is real and apparent. In only one instance did I hear criticism of a voluntary body, and steps were being taken to bring the managers into line and to compel them to exercise proper supervision over the children placed out by them.

There is a Government superintendent in each province, and an Act based on the provisions of the Ontario Act, a measure that is so interesting that it has been appended as a supplement to this Report. The province of Ontario employs fifteen men to act as local agents or investigators under the Provincial Superintendent, and an appropriation of 20,000 dollars (£4,000) a year is applied for this purpose. Payments to these local officials are supplemented by the Societies, but the Superintendent keeps in close personal touch with them all.

The Superintendent of Neglected and Dependent Children in the Province of Ontario is Mr. J. J. Kelso, and his offices are in the Parliament Buildings, Toronto. The Government is most fortunate in its representative, and the children are safe in his hands. Mr. Kelso's knowledge and sympathy is so appreciated that he is frequently called upon to advise on matters affecting other provinces. He is a level-headed, hard-working enthusiast, and a man who has the faculty of inspiring confidence in those who consult him. Beyond his

actual official duties he issues an enormous amount of literature—explanatory of the principles that should govern those who seek to improve the condition of children, admonitory to those who undertake to provide homes for children, and advisory to the public who can assist in the discovery of cases of neglect and keep a watchful eye on those who are foster-parents.

Between 600 and 700 children are placed out every year. Institutional life for children is not favoured in Canada; there is a marked preference for boarding-out. No difficulty has been met with in finding good homes; indeed, there is an increasing number of applications from people who not only promise to provide a good home, but to take a child without payment. No matter on what terms a child is taken, there is a regular system of supervision. Every child is visited, its history, the record of its movements, the reports of the visitors, are all filed in Mr. Kelso's office, where a staff of helpers is engaged in keeping this part of the work up-to-date.

Here is a copy of the form of report used:

VISITOR'S REPORT.

Fill in immediately after visit and mail to Superintendent, Neglected and Dependent Children of Ontario, Parliament Buildings, Toronto—give ample particulars.

Name of Child.....File .....

Present Age.....Society Placing .....

Name of Foster-Parents .....

Postal Address .....Concession Lot.....

County .....

VISITOR'S REPORT

1.—General Health and Appearance

2.—Progress, Conduct and Behaviour

3.—Treatment

4.—Attendance at Church and Sunday School

5.—Attendance and Progress at Day School

Character of the Home

Terms of Agreement

GENERAL REMARKS:

SIGNATURE OF VISITOR.....

DATE.....191 .

It was my good fortune at the Rochester Conference to meet one or two Government officials engaged in the work of visitation. They told a similar story of careful supervision in their provinces, and without exception each visitor disclosed a direct interest in the individuality of the children they visit.

The attitude of the Dominion Government towards the subject of child welfare is indicated by the fact that the Premier of Canada had given instructions to two of the

officers visiting Rochester to proceed to Washington, there to examine the working of the newly-established Child Welfare Bureau.

Great vigilance is exercised to prevent a child from going to an undesirable home. At the Conference Mr. Kelso delivered an excellent address, in which he gave an instance of the need for caution, not only in the selection of homes, but also in testing the reliability of those who gave recommendations to persons wanting to take children. Someone who made application for a child presented a certificate of character from a clergyman, but in a private letter to Mr. Kelso the writer of the certificate asked him to take no notice of it. When questioned as to why the reference was given, the clergyman said it was very difficult to refuse some people who requested such a favour!

There are several reception homes in Canada, to which children are sent on their arrival from England while arrangements are being made for their permanent home. Mr. Kelso keeps in close touch with receiving homes in Toronto, and other officials do the same in their respective provinces. I want to say a word or two on this aspect of the question, for there is a large number of people interested in emigration, many suspicious of it, and some who may think that even if Government authorities are alert and vigorous, voluntary agencies may possibly be lax. It is not necessary to do more than take one agency as illustrative of the work of the whole, for I was assured it was typical of the others.

My visit was paid to the Toronto headquarters of Dr. Barnardo's Homes. The officials were most courteous and, gave me every opportunity of obtaining information. There is an admirable system of keeping case-papers, by means

of which it is easy to ascertain the history of each child, the date of its arrival in Canada, the place to which it is sent, reports of visitors, communications from the child, and from those interested in its welfare.

Each child is supplied with a clothing outfit on leaving the reception home, and is also given a simply-worded book of instructions. Particulars of service are described, conditions of agreement are explained, and the child is informed that in any case of trouble it is to write to the Reception Home at once. On going to a situation a child is given two addressed postcards—one to notify safe arrival, the other to keep in case there should be any need to write, or if any difficulty is found in getting paper and stamps.

Applications for children are made on special forms, on which the terms of service are printed, and no child is placed out except under a signed agreement.

AGREEMENT made in duplicate this.....day of .....19....between ALFRED B. OWEN, Agent of DR. BARNARDO'S HOMES, and..... ..... of the Township of..... in the County of.....respecting the boy..... recently an inmate of Dr. Barnardo's Homes, and at present under the guardianship of the Managers of the said Homes:

WITNESSETH that the said..... agrees to engage the said..... for a period dating from the .....day of .....nineteen hundred and....., and ending on the.....day of..... nineteen hundred and....., to furnish him during that period

with Board, Lodging, Washing, Clothing and Necessaries, and to pay to the said ALFRED B. OWEN, or other authorized Agent of Dr. Barnardo's Homes, in trust for the said.....
.....and for the sole use and benefit of the said.....
the sum of.....
.....
.....
.....

IT IS AGREED that this engagement may be terminated by either party giving one month's notice of the same to the other in writing, but the said ALFRED B. OWEN reserves to himself, or other authorized Agent of Dr. Barnardo's Homes, the right to remove the said....
.....summarily, and
ithout notice, should such action be rendered necessary by any
l-treatment to which the said.....
.....should be subjected.

IT IS AGREED that should the engagement terminate prior to the expiration of the above-mentioned period, then the sum of .....
..... Dollars
shall be proportioned as follows, and paid in that proportion by the said.....
.....
.....
.....
.....
.....
.....
The said.....agrees to send the said.....to school, in accordance with the provisions of the existing School Act, to promote the attendance of the said.....

at Church and Sunday School, to communicate occasionally, personally or by letter, with the Agents of Dr. Barnardo's Homes, as to the progress and welfare of the said.....
.....and to co-operate generally with the Agents of the Homes in exercising judicious supervision over him, and in promoting his interests and well-being.

WITNESS our hands :

....
....

It will be observed that for a certain period money earned by a child is paid to the Home. The reason for this is explained in a paragraph taken from the book of instructions given to each child :

"As you have already been told, the first monies due to you will be paid to us at the Home, not for us to keep or spend, or take from you, but to deposit for you in the bank. A book, or certificate, will be sent to you immediately, showing what amount you have got; and money can be withdrawn if necessary, but in the meantime it will be gaining good interest for you. Our principal reasons for taking this trouble for you are: First, that we may know the amounts due to you are fully and punctually paid; and, secondly, that the money which has been earned by hard work may not be foolishly wasted, but that at least some of it may be laid up as a store for the future."

Every child is visited once in seven months. Should it be considered advisable to transfer a child from the care of the person with whom it has been placed, the visitor reports accordingly, and the Home authorities make the necessary arrangements.

I asked what would happen if a child turned out badly—did not give satisfaction in more than one situation, or disclosed any evil tendency. The reply was that when advice and warning failed the final course was to deport

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I asked what would happen if a child turned out badly—did not give satisfaction in more than one situation, or disclosed any evil tendency. The reply was that when advice and warning failed the final course was to deport

the child; but in no year have more than three children been deported, which speaks well for the children and for the system.

Altogether my investigation was most reassuring, and I am firmly convinced that both by Government officials and by voluntary agencies the best that can be done for children is done, and that the work of inspection and supervision is excellent.

Conclusion.

When starting on the compilation of this Report I intended to keep it within the limits of brevity, but as the notes of the various incidents, interviews and occurrences were perused the difficulty of compression became evident. It will be observed that I have refrained from making many comments on what was seen or heard, and have contented myself with setting out as simply as possible the main features of a most interesting and informative visit.

There remains one pleasant duty to be fulfilled: to thank in all heartiness and sincerity the many kind friends who made my task a light one, and who gave me so much valuable assistance. To write of the hospitality shown to my wife, who accompanied me, and to myself would be to show the inadequacy of words; but a special meed of grateful appreciation must be paid to the Hon. Peter Gerry and Mr. Thomas D. Walsh of New York, and to Mr. and Mrs. Kelso of Toronto.

APPENDIX.

THE CHILDREN'S PROTECTION ACT, ONTARIO, 3, 4, George V., Chap. 62.

An Act for the Protection of Neglected and Dependent Children.

His Majesty by, and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as "The Children's Protection Act of Ontario." 8 Edw. VII. c. 59, s. 1.

2. (1) In this Act,

(*a*) "Child" shall mean a boy or a girl actually or apparently under sixteen years of age.

(*b*) "Children's Aid Society" shall mean a society having among its objects the protection of children from cruelty and the care and control of neglected children which has been approved by the Lieutenant-Governor in Council for the purposes of this Act; and, in a county or district in which there is no Children's Aid Society, shall mean the Superintendent.

(*c*) "Court of summary jurisdiction" shall mean and include a Police Magistrate, a Commissioner appointed for the trial of juvenile offenders, or two Justices of the Peace.

(*d*) "Foster Home" shall mean a home in which a neglected child may be placed.

(*e*) "Judge" shall mean a Judge or a retired Judge of the High Court, or of a County or District Court, or a Police Magistrate, or a Commissioner appointed for the trial of juvenile offenders, or two Justices of the Peace.

(*f*) "Minister" shall mean the Provincial Secretary or such other member of the Executive Council as may be entrusted by the Lieutenant-Governor with the administration of this Act.

(*g*) "Municipality" shall mean a county or a city or town separated from a county, or a Provisional Judicial District.

(*h*) " Neglected Child " shall mean a child who is found begging, receiving alms, thieving in a public place, sleeping at night in the open air, loitering about in a public place after nine o'clock in the evening, associating or dwelling with a thief, drunkard or vagrant, or is a habitual truant, or a child who by reason of the neglect, drunkenness or other vice of its parents is growing up without salutary parental control and education, or in circumstances exposing such child to an idle and dissolute life; or who is found in a house of ill-fame, or known to associate with or be in the company of a reputed prostitute; or an orphan, or an illegitimate child whose mother is unable to maintain it; or who is deserted by its parents; or whose only parent is undergoing imprisonment for crime; or who by reason of ill-treatment, continual person injury, or grave misconduct or habitual intemperance of its parents or either of them is in peril of loss of life, health, or morality; or whose home, by reason of neglect, cruelty or depravity, is an unfit place for such child, and " Neglected Children " shall mean two or more of such children.

(*i*) " Parent " shall include a guardian and every person who is by law liable to maintain a child.

(*j*) " Place of safety " shall include a shelter or temporary home established by a Children's Aid Society, or any institution established for the care and protection of children, but not a gaol, prison, police station or lock-up.

(*k*) " Public Place " shall mean a street, highway, or lane, whether a thoroughfare or not, and a tavern or other place of public resort, and, generally, any place to which the public have or are permitted to have access.

8 Edw. VII. c. 59, s. 2.

(*l*) " Superintendent " shall mean the Superintendent of neglected and dependent children.

8 Edw. VII. c. 59, s. 3.

3. A Judge or a retired Judge of the High Court Division or of a County or District Court shall have jurisdiction under this Act in any part of Ontario, and a Police Magistrate or a Commissioner, or two Justices, shall have jurisdiction in the county or other locality for which they hold office.

Superintendent.

4. The Lieutenant-Governor in Council may appoint an officer to be known as the Superintendent of Neglected and Dependent Children, whose salary shall be paid out of such money as may be

appropriated for that purpose by this Legislature and it shall be his duty:

(*a*) To encourage and assist in the establishment of Children's Aid Societies.

(*b*) To advise such societies and instruct them as to the manner in which their duties are to be performed;

(*c*) To see that a record in such form as may be prescribed by the Superintendent is kept by such societies of all committals, and of all children placed in foster homes under this Act and of such other particulars as may be deemed desirable;

(*d*) To direct and supervise the visiting of any place where a child is placed pursuant to the provisions of this Act;

(*e*) To prepare and submit an annual report to the Minister;

(*f*) To visit and inspect Industrial Schools and Shelters as may be directed by Departmental Regulations, and report at least twice each year to the Minister on the conditions, management and discipline of each Industrial School with suggestions for their improvement;

(*g*) To perform such other duties as may be prescribed by the Lieutenant-Governor in Council. 8 Edw. VII. c. 59, s. 4.

5. (1) The Superintendent shall have and may exercise all the powers conferred upon a Children's Aid Society, and shall have power to appoint such person as he may see fit to act for him, as occasion may require. 8 Edw. VII. c. 59, s. 5.

Children's Shelters.

6. (1) For the better protection of neglected children, the corporation of every city or county shall provide one or more places of refuge for such children only, to be known as temporary homes or shelters, and shall assist in the maintenance thereof.

(2) An orphan or children's home may, with the consent of the trustees or governing body thereof, be used as a temporary home or shelter under this section; and when desirable for economical reasons, not inconsistent with the welfare of the children to be provided for, such temporary home or shelter may be established in a private family.

(3) When a Children's Aid Society has been established it shall receive into the temporary home or shelter provided by or at the expense of the municipality all children found to be neglected under this Act and have their supervision and management.

(4) A Children's Aid Society may buy, sell, lease, hold, or otherwise deal with real and personal property for the purposes of the society.

8 Edw. VII. c. 59, s. 6 (4).

(5) If a society or committee established under this Act ceases to exist or does not hold a meeting for a period of six months the secretary or other officer shall deliver to the Superintendent all books, documents, records, financial statements, and pay over to him all trust funds on hand, and the society or committee shall thereupon be dissolved and its property shall be vested in the Minister, and the Superintendent shall then reorganize the work or make such arrangements for carrying it on as the Minister may approve.

County Committees.

7. (1) In any electoral district, town or village, there may be established by the Children's Aid Society of the county or by the Superintendent a committee consisting of not less than six persons, at least one half of whom shall, if practicable, be women, to be known as the "Children's Committee," and the committee and the members thereof shall co-operate with the Superintendent and with the Children's Aid Societies.

8 Edw. VII. c. 59, s. 7.

(2) The committee, or any member thereof, shall have and may exercise the powers conferred by sections 8 and 9, under the direction of the Society, and may adopt such methods as they may think best for securing voluntary subscriptions to be devoted to carrying out the objects of this Act.

Probation Officers.

8 Edw. VII. c. 59, s. 9.

8. The officers of a Children's Aid Society may act as probation officers for the purpose of enforcing the provisions of this Act and of The Industrial Schools Act.

Apprehension of Child.

9. (1) A constable or a person authorized under section 8 to act as a probation officer or a chief constable or inspector of police may apprehend without warrant and take to a place of safety any neglected child.

(2) The child shall be returned to its parents or guardians or be brought before the Judge for examination within one week after apprehension, and the Judge shall investigate the facts of the case and ascertain whether the child is a neglected child and its age, and the name, residence and religion of its parents.

(3) The Judge may compel the attendance of witnesses, and may require the attendance of the Crown Attorney upon such investigation.

(4) The parents or person having the actual custody of a child shall be notified of the investigation, and any person may appear on behalf of the child.

(5) If on such investigation the Judge finds that the child is a neglected child he may order that the child be delivered to a Children's Aid Society, and the Society may send the child to their temporary home or shelter to be kept until placed in a foster home.

(6) The order shall contain a statement of the facts so far as ascertained, and the municipality liable for maintenance, and shall be filed with the Superintendent, and the Judge shall transmit a certified copy thereof to the Children's Aid Society.

8 Edw. VII. c. 59, s. 10.

(7) The expense of conveying a child to any shelter or Industrial School shall be paid by the treasurer of the county, city, separate town or provisional judicial district, in which such child is committed, and the person conveying such child shall, when practicable, be an officer of a Children's Aid Society.

10. The Superintendent and any person acting under his authority may call to his aid in the performance of his duties a constable of the locality, and the constable when so called shall be entitled for his services to the same fees as he would be entitled to for like services under The Administration of Justices Expenses Act, and the same shall be payable in like manner as the fees of constables are payable under that Act.

Desertion.

11. The Superintendent of any Infants' or Children's Home, or other public institution, having the custody of children, may bring before the Judge any child whom there is cause to believe has been neglected or deserted by its parents, and the Judge may make an order committing the child to the care of a Children's Aid Society, under the provisions of this Act.

Maintenance of Children.

12. (1) When committing a child to the custody or control of a Children's Aid Society the Judge shall make an order for the payment, by the corporation of the municipality to which the child belongs, of a reasonable sum, not less than $2 weekly, for the expense of supporting the child by the society, or in a temporary home, or in a foster home where children are not cared for without compensation.

(2) A like order may also be made, on the application of a society, for the maintenance of a child while under the temporary care of the society.

(3) For the purposes of this section a child shall be deemed to belong to the municipality in which it has last resided for the period of one year; but in the absence of evidence to the contrary, residence for one year in the municipality in which the child was taken into custody shall be presumed.

(4) In the case of a child under one year of age, the municipality in which the child's mother has last resided for one year shall be deemed liable for maintenance.

8 Edw. VII. c. 59, s. 8.

(5) The corporation of a municipality which has made a payment under the provisions of this section for the maintenance of a child in respect to whom some other municipal corporation is liable, shall be entitled to recover the amount so paid from such other corporation.

Parent Liable.

13. (1) A Judge may order the parent of a child who has been committed to a Children's Aid Society or placed in a foster home to contribute towards the child's maintenance and upon default of payment of the amount ordered to be paid, may order that such parent be imprisoned for any period not exceeding forty days, and such committal shall not affect the right to a further or other order for committal for a subsequent default.

(2) Nothing in this section shall relieve the municipal corporation from payment when the parent is unable or refuses to contribute.

(3) At any time after the committal of a child, or its being placed in a foster home, the Children's Aid Society or foster parent may apply to the Judge for an order for the payment of such additional maintenance as to him may seem just.

8 Edw. VII. c. 59, s. 8.

(4) An order made under section 12, or this section, may be enforced under The Judges Orders Enforcement Act.

To Select Foster Homes.

14. (1) The Children's Aid Society to the care of which a child has been committed, shall be the legal guardian of such child, and it shall be the duty of such society to use diligence in providing a suitable home for such child.

(2) The society may place the child in a foster home during minority, or for any shorter period in the discretion of such society, under a written contract which shall provide for the education of the child in accordance with the school law of Ontario, for teaching the child some useful occupation, for its kind and proper treatment as a member of the family and for the payment to the society for

the benefit of the child of any sum of money that may be provided for in the contract, and shall contain a provision reserving the right to withdraw the child from any person having its custody when in the opinion of the society the welfare of the child so requires.

(3) Where the Superintendent is of opinion that a child placed in a foster home requires special training, he may order such child to be transferred to an Industrial School, or other institution subject to the inspection of the Inspector, and such transfer shall have the same effect as if made by a Judge. 8 Edw. VII. c. 59, s. 11.

Penalty for Ill-Treatment.

15. Any person having the care, custody, control or charge of a child, who ill-treats, neglects, abandons, deserts or fails to support such child, shall incur a penalty not exceeding $100, and shall in lieu of or in addition thereto, be liable to imprisonment, for a term not exceeding one year. 8 Edw. VII. c. 59, s. 20.

Street Trades.

16. No girl under sixteen years of age and no boy under ten years of age shall engage in or be licensed or permitted to engage in any street trade or occupation.

Children Out at Night.

17. (1) No child shall loiter in any public place after 9 o'clock in the evening, or be there unless accompanied by his parent or guardian or an adult appointed by the parent or guardian to accompany such child.

(2) A child found in a public place after the hour named in subsection 1 unless so accompanied may be warned to go home by any constable or probation officer or officer of a Children's Aid Society, and if after such warning the child is found loitering in a public place such child may be taken by the constable or officer to its home, or to the Children's Shelter.

(3) A parent who permits his child to violate this section shall for the first offence incur a penalty of $1 without costs, and for a second offence $2, and for a third, or any subsequent offence, $5. 8 Edw. VII. c. 59, s. 19.

Causing Children to be Neglected.

18. (1) Any person who—

(a) Causes or procures a child to be in any public place for the purpose of begging or receiving alms, or of inducing the giving of alms, whether under the pretence of singing, playing, performing, offering anything for sale, or otherwise; or

(*b*) Causes or procures a child to be in any public place for the purpose of singing, playing, or performing for profit, or offering anything for sale between nine o'clock in the evening of one day and seven o'clock of the following morning ; or

(*c*) Subject to the provisions of subsection 2, causes or procures any child to be at any time for the purpose of singing, playing or performing for profit or offering anything for sale in any circus or other place of public amusement to which the public are admitted by payment ; or

(*d*) Is guilty of an act or omission which contributes to a child being or becoming a neglected child.

shall incur a penalty not exceeding $100, and in lieu of or in addition thereto, shall be liable to imprisonment for a term not exceeding one year.

(2) In the case of any entertainment, or series of entertainments, to take place in premises used for public entertainment, or in any circus or other place of public amusement where it is shown that proper provision has been made to secure the health and kind treatment of a child proposed to be employed thereat, the head of the council of the municipality may grant a license for such time, and during such hours of the day, and subject to such restrictions and conditions as he may think fit, for any child over ten years of age of whose fitness to take part in such entertainment or series of entertainments without injury he is satisfied ; and such license may at any time be varied, added to, or revoked by him.

8 Edw. VII. c. 59, s. 21.

(3) The municipal council shall assign to some person the duty of seeing that the restrictions and conditions of any license granted under authority of this section are duly complied with, and such person shall have power to enter, inspect and examine any place at which the employment of a child is for the time being licensed ; and that duty shall be discharged by the chief constable of the municipality until some other person is appointed.

Power of Search.

19. (1) If it appears to a Justice of the Peace, on information laid before him on oath by any person who, in the opinion of the Justice, is bona fide acting in the interests of the child, that there is reasonable cause to suspect that a child has been or is being ill-treated or neglected in any place within the jurisdiction of such Justice in a manner likely to cause the child unnecessary suffering, or to be injurious to his health or morals, such Justice may issue a warrant authorising any person named therein to search for such child, and

to take it to and detain it in a place of safety until it can be brought before a Judge, and the Judge before whom the child is brought may cause it to be dealt with as provided for in this Act.

(2) The Justice may by the same warrant cause any person accused of an offence in respect of the child to be apprehended and brought before a Judge to be dealt with according to law.

(3) Any person authorised by the warrant may enter, if need be by force, any house, building or other place specified in the warrant, and may remove the child therefrom.

(4) It shall not be necessary in any information or warrant laid or issued under the provisions of this section to describe a child by name. 8 Edw. VII. c. 59, s. 22.

Interfering with Wards.

20. (1) No person shall

(*a*) induce any child to leave the building or premises or custody or control of any Children's Aid Society, immigration society, children's institution or industrial school ;

(*b*) induce or attempt to induce a child under the age of twenty-one years to leave any service or apprenticeship or any place where the child has been lawfully placed for the purpose of being nursed, supported, educated, adopted or employed ;

(*c*) induce or attempt to induce, any child under the age of twenty-one years to break any articles of apprenticeship or agreement lawfully entered into by or with the authority of the trustees or directors or governing body of any such Children's Aid Society, immigration society, home or asylum, respecting such child ; or

(*d*) detain or harbour such child after demand made by or on behalf of any officer of any such Society or institution for delivery up of such child.

(2) A person who violates the provisions of this section shall incur a penalty not exceeding $20. 8 Edw. VII. c. 59, s. 23.

Juvenile Offenders.

21. (1) A child charged with an offence against the laws of Ontario or who is brought before a Judge under any of the provisions of this Act, shall not before trial or examination be confined in a lock-up or a police cell used for persons charged with crime, nor, save as hereinafter mentioned, shall such child be tried or have its case disposed of in the police court room ordinarily used.

(2) The council of every local municipality shall make provision for the separate custody and detention of such child prior to its trial or examination, by arrangement with some person or society willing to undertake the responsibility of such temporary custody or detention on such terms as may be agreed upon, or by providing suitable premises entirely distinct and separated from the ordinary lock-ups or police cells.

(3) The Judge shall try such child or examine into its case and dispose thereof in premises other than the ordinary police court premises, or where this is not practicable, in the private office of the Judge, if he have one, or in some other room in the municipal building.

(4) Where a Children's Aid Society possesses premises affording the necessary facilities and accommodation, a child may, after apprehension under the provisions of this Act, be temporarily taken charge of by the society until its case is disposed of; and the Judge may hold the examination into the case of such child in the premises of the society.

8 Edw. VII. c. 59, s. 24.

(5) Where a child, or a parent charged with an offence in respect of a child under this Act is being tried the Judge shall exclude from the room or place where such person is being tried or examined, all persons other than the counsel and witnesses in the case, officers of the law or any Children's Aid Society, and the immediate friends or relatives of the child or parent.

To Notify Society's Agent.

22. (1) Where a complaint is made or pending against a child the police official having charge of the child shall at once cause notice in writing to be given to the executive officer of the Children's Aid Society, if there be one in the county or district, who shall have opportunity allowed him to investigate the charge.

(2) Upon receiving such notice the officer may enquire into and make full examination as to the parentage and surroundings of the child and all the circumstances of the case and report the same to the Judge.

8 Edw. VII. c. 59, s. 25.

(3) Where it appears to the Judge that the public interest and the interest of the child will be best served thereby, an order may be made for the return of the child to its parents or friends, or the Judge may place such child under the guardianship of the Children's Aid Society, or of an industrial school.

Disposal of Offenders.

23. (1) The Judge instead of committing a child to prison may hand over the child to the charge of a home for destitute and neglected children, or Industrial School, or Children's Aid Society, and the managers of such home, school or society may permit its adoption by a suitable person, or may apprentice it to a suitable trade, calling or service, and the transfer shall be as valid as if the managers were the parents of such child.

(2) The parents of such child shall not remove or interfere with the child so adopted or apprenticed, except by permission in writing of the home, school or society. 8 Edw. VII. c. 59, s. 26.

Children under Arrest.

24. No child held for trial or under sentence in any gaol or other place of confinement shall be placed or allowed to remain in the same cell or room in company with adult prisoners, and the officer in charge of such place of confinement shall secure the exclusion of such child from the society of adult prisoners during its confinement. 8 Edw. VII. c. 59, s. 27.

Commissioners.

25. The Lieutenant-Governor may appoint Commissioners with the powers of Police Magistrates to hear and determine complaints and to enforce any of the provisions of this Act or against juvenile offenders apparently under the age of sixteen years. 8 Edw. VII. c. 59, s. 28.

Doubt as to Age.

26. Where a person is charged with an offence under this Act in respect of a child who is alleged to be under a specified age, and the child appears to the Judge to be under that age, such child shall for the purposes of this Act be deemed to be under that age, unless the contrary is proved. 8 Edw. VII. c. 59, s. 29.

Appeal to High Court.

27. (1) Where a parent applies to a Judge of the High Court Division for an order for the production of a child committed under this Act, and the Judge is of opinion that the parent has neglected or deserted the child, or that he has otherwise so conducted himself that the Judge should refuse to enforce his right to the custody of the child, the Judge may, in his discretion, decline to make the order.

(2) If at the time of the application, the child is being brought up by another person, or has been placed out by a Children's Aid

Society, the Judge, if he directs the child to be given up to the parent, may order that the parent shall pay to such person or society the whole of the expense properly incurred in bringing up the child, or such portion thereof as may seem just.

(3) Where a parent has

(*a*) Abandoned or deserted his child, or

(*b*) Allowed his child to be brought up by another person at that person's expense, or by a Children's Aid Society, for such time and under such circumstances as to satisfy the court that the parent was unmindful of his parental duties.

the Judge shall not make an order for the delivery of the child to the parent unless he satisfies the Judge that, having regard to the welfare of the child, he is a fit person to have the custody of the child.

(4) If the Judge is of opinion that the parent ought not to have the custody of the child but that the child is being brought up in a different religion from that in which the parent has a legal right to require that the child, shall be brought up, the Judge shall have power to make such order as he may think fit to secure that the child be brought up in that religion.

8 Edw. VII. c. 59, s. 13.

(5) Nothing in this section shall affect the power of the Judge to consult the wishes of the child in determining what order ought to be made, or any right which a child now possesses to exercise its own free choice.

Religion of Child.

28. (1) Notwithstanding anything in this Act, no Protestant child shall be committed to the care of a Roman Catholic Children's Aid Society or Institution, nor shall a Roman Catholic child be committed to a Protestant Children's Aid Society or Institution, and in like manner no Protestant child shall be placed out in any Roman Catholic family as its foster home, nor shall a Roman Catholic child be placed out in any Protestant family as its foster home.

8 Edw. VII. c. 59, s. 30 (1, 2).

(2) This section shall not apply to the care of a child in a temporary home or shelter in a municipality in which there is but one Children's Aid Society.

Recovering Penalties.

29. The penalties imposed by or under the authority of this Act shall be recoverable and may be enforced under The Ontario Summary Convictions Act, and the provisions of that Act shall apply to prosecutions for a violation of this Act.

Right of Inspection.

8 Edw. VII. c. 59, s. 15.

30. Every society or person to whose care a child is committed under the provisions of this Act, and every person intrusted with the care of any such child, shall from time to time permit such child to be visited, and any place where such child may be or reside to be inspected by the Superintendent or any person duly authorised in that behalf.

Juvenile Immigration.

R.S.O. 1897, c. 262, s. 2, amended.

31. (1) The Lieutenant-Governor in Council may authorise any Society or Agent to carry on the work of bringing into this Province neglected or dependent children who are not feeble-minded, and who before arrival in Ontario are certified by a regularly qualified medical practitioner to be free from disease of any kind, for the purpose of providing foster homes for such children or binding them as apprentices or otherwise.

(2) Authority to bring such children into the Province shall only be granted on condition that if any such child becomes within five years of his immigration an inmate of a prison, hospital, or other charitable institution where such child is likely to become a permanent charge, the Inspector of Prisons and Public Charities shall notify the Society or Agent under whose auspices the child was brought into the Province in order that such child may be deported.

R.S.O. 1897, c. 262, s. 4.

32. (1) Every such Society or Agent shall keep a record in a register prescribed by the Superintendent for that purpose of the names of all children brought into Ontario, their ages, and such particulars as may be required to indicate the provision made for each child's adoption or apprenticeship; and a copy of the records made by each Society or Agent shall be filed with the Superintendent on the first day of January and July of each year.

(2) Any Society or Agent who knowingly makes, or is a party to the making of or procuring to be made, directly or indirectly, any false return shall incur a penalty of one thousand dollars, which can be recovered with costs by action at the suit of the Crown only.

R.S.O. 1897, c. 262, s. 6 (1).

33. Every Society or Agent shall maintain careful supervision over every child brought, or caused or procured to be brought into the Province by such Society or Agent, until such child attains the age of 18 years; and it shall be the duty of such Society or Agent to cause a personal visit by an agent specially appointed for that purpose, to be made to each such child at least once in every year, until the child has attained such age, and for the purposes of this Act, and for the protection of the person and earnings of the child,

the Society or Agent, until the child attains the age of 18 years, shall have all the powers, and shall perform all the duties by law provided in the case of the guardian of an infant.

R.S.O. 1897, c. 262, s. 11 (3).

34. Every Society, agent or person having the custody of any child heretofore or hereafter brought into the Province of Ontario, shall be entitled to send such child to the public or separate schools of the municipality or school section in which the child resides in the same manner as the child of any ratepayer in the municipality or school section; and every such Society, Agent or person having custody of any such child shall be subject to The Truancy Act, and to the penalties imposed by the said Act in the same manner and to the same extent as any ratepayer.

R.S.O. 1897, c. 262, s. 14.

35. Any Society or Agent engaging in the work of bringing children to Ontario without an Order in Council permitting them to do shall on conviction before a magistrate or judge be liable to a fine not exceeding one hundred dollars or in default of payment to imprisonment for a period not exceeding three months.

36. Chapter 59 of the Acts passed in the 8th year of the reign of His late Majesty, King Edward the Seventh, and chapter 61 of the Acts passed in the 2nd year of His present Majesty are repealed.

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